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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/161,401	09/28/1998	MITSUMASA SUGIYAMA	862.2471	7599

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 02/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/161,401

Applicant(s)

SUGIYAMA, MITSUMASA

Examiner

Ella Colbert

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 February 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1,3-12 and 14-31.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 2. NOTE: Applicant's arguments have been considered but are not persuasive.

Claims 1, 7, 8, 12, 18, 19, 23-30 and 31 still remain rejected for the following reasons:

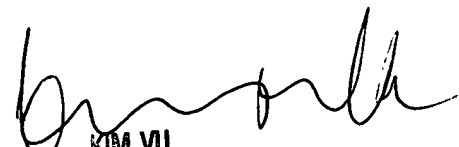
Applicant argues: Woodhill does not teach or suggest anything corresponding to the recited second copy means has been considered but is not persuasive because the Examiner does not find the limitation "copy an attribute item of that data into a corresponding attribute item of the second database" or "copy an attribute item that does not have a corresponding item in the second database into a predetermined item instead" in claim 1. Claim 1 recites "... copying information of an attribute item, which is determined by said determination means to correspond to one of the attribute items of the second database, to a corresponding attribute item of the second database, and for copying information of an attribute item that is determined by said determination means not to correspond to any of the attribute items of the second database, to the predetermined attribute item of the second database." The Examiner does not interpret these limitations as being the same as "copy an attribute item of that data into a corresponding attribute item of the second database" or "copy an attribute item that does not have a corresponding item in the second database into a predetermined item instead".

Applicant argues: Applicant is unable to see anything in the passage which teaches or suggests means that, when data is being copied from a first to a second database, copy an attribute item of that data into a corresponding attribute item of the second database, as recited in claim 1 has been considered but is not persuasive because this argument has been discussed above.

Applicant argues: there is not any teaching or suggestion that such copying means also copy an attribute item that does not have a corresponding item in the second database, into a predetermined item instead, as recited in claim 1 has been considered but is not persuasive because claim 1 recites "second copying means for copying information of an attribute item, ..." is not interpreted by the Examiner as reciting the same claim limitation as copying means also copy an attribute item that does not have a corresponding item in the second database, into a predetermined item instead," in claim 1.

Applicant argues: Independent claims 7, 12, 18, 23, 24, 26, 27, 29, and 30 also recite features similar to those discussed with regard to claim 1 (or are corresponding method of memory-medium claims) has been considered but are not persuasive because the arguments have been discussed and responded to in the above responses.

Applicant argues: Nothing found, or pointed out, in Woodhill would teach or suggest any arrangement capable of copying information from one database to a second, where attribute items of that data that do not correspond to any attribute items in the second database are converted into attribute items of the second database (i.e., into items that can be accommodated in the second database), as recited in claim 8 has been considered but is not persuasive because Woodhill is interpreted as teaching, copying information from one database to a second in col. 2, lines 3-19 (copying information from one storage device to another storage device), where attribute items of that data that do not correspond to any attribute items in the second database are converted into attribute items of the second database (i.e., into items that can be accommodated in the second database) in col. 3, lines 64-67 and col. 4, lines 1-26 and lines 48-61 (File Database 25, one or more Backup Records 42 are created that contain information about the file at the time the file is backed up. Each time that a file is backed up, a Backup Record 42 is created for that file. Each Backup Record 42 consists of the following: ... (3) file size 48; (4) Last Modified Date/Time 50; (50) Last Access Date/Time 52; (6) File Attributes 54 (e.g., read-only, system, hidden); (7) Delete Date 56 (date on which the file was deleted); and (8) Insert Date 57 (date on which the Backup Record 42 was created).


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3100